

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: January 26, 2015

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MALIBU MEDIA, LLC,

Plaintiff,

-v-

JOHN DOE subscriber assigned IP address
108.30.247.86,

Defendant.
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14-cv-10155 (KBF)

ORDER

KATHERINE B. FORREST, District Judge:

Plaintiff shall immediately serve a copy of this Order on the Internet Service Provider (“ISP”) Verizon FiOS, as identified by plaintiff in Exhibit A of their complaint. Verizon FiOS shall in turn serve a copy of this Order on the John Doe defendant in the form of a “notice letter.” Verizon FiOS may serve the John Doe defendant using any reasonable means. The notice letter shall be sent by Verizon FiOS promptly following the date printed on the notice letter.

Plaintiff shall inform the Court by February 6, 2015 whether they have received the John Doe defendant’s identifying information from Verizon FiOS. Plaintiff shall not inform the court of the identity of the John Doe defendant nor should plaintiff so indicate that identity on any public filings.

The John Doe defendant shall have 30 days from the date of service of the notice letter upon him or her to file any motion with this Court requesting to litigate anonymously. The John Doe defendant may do so by identifying himself

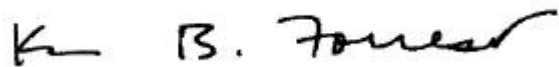
with his IP address only. Verizon FiOS shall not turn over the John Doe defendant's identifying information to plaintiff, if they have not already done so, before the expiration of this 30-day period. If Verizon FiOS is notified by the John Doe defendant that they have submitted a request to proceed anonymously, Verizon FiOS shall not disclose the subscriber's personal information until the Court rules on the motion.

If plaintiff learns the identifying information for the John Doe defendant prior to the expiration of this 30-day period, they shall not identify the John Doe defendant on any filings until after the expiration of the 30-day period, and if defendant submits a request to proceed anonymously, plaintiff shall identify the John Doe defendant only by his or her IP address on any filings until the Court rules on the motion.

Any information ultimately disclosed to plaintiff may be used by plaintiff solely for the purpose of protecting their rights as set forth in the complaint in this action.

SO ORDERED.

Dated: New York, New York
January 26, 2015

A handwritten signature in black ink, appearing to read "K. B. Forrest", is written above a horizontal line.

KATHERINE B. FORREST
United States District Judge